



**Air Quality
TIER I OPERATING PERMIT**

**State of Idaho
Department of Environmental Quality**

PERMIT No.: T1-030512

FACILITY ID No.: 019-00025

AQCR: 61

CLASS: A

SIC: 2183

ZONE: 12

UTM COORDINATE (km): 413.6, 4810.4

1. PERMITTEE

Busch Agricultural Resources, Inc.

2. PROJECT

Initial Tier I operating permit

3. MAILING ADDRESS

5755 S. Yellowstone Highway

CITY

Idaho Falls

**STATE
ID**

**ZIP
83402**

4. FACILITY CONTACT

Kirby Kraft

TITLE

Environmental Engineer

TELEPHONE

(314) 577-4572

5. RESPONSIBLE OFFICIAL

Mel Harlow

TITLE

Plant Manager

TELEPHONE

(208) 522-4572

6. EXACT PLANT LOCATION

2.35 miles southwest of Idaho Falls on Highway 91

COUNTY

Bonneville

7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS

Malt products

8. PERMIT AUTHORITY

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.

TONI HARDESTY, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:

DRAFT FOR

PUBLIC COMMENT

DATE EXPIRES:

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Acronyms, Units, and Chemical Nomenclature

AQCR	Air Quality Control Region
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gr/dscf	grains (1 lb = 7,000 grains) per dry standard cubic foot
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
lb/hr	pound per hour
MMBtu/hr	million British thermal units per hour
NO _x	nitrogen oxides
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PTC	permit to construct
SIC	Standard Industrial Classification
SO ₂	sulfur dioxide
T/yr	tons per year
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

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1. TIER I OPERATING PERMIT SCOPE

Purpose

- 1.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the *Rules*.
- 1.2 This Tier I permit incorporates PTC No. P-040520, issued March 11, 2005.
- 1.3 This Tier I is the initial Tier I operating permit and does not supersede any other Tier I operating permit.

Regulated Sources

- 1.4 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED SOURCES

Permit Section	Source Description	Emissions Control(s)
3	Malt Drying and Sulfuring - Kilns No. 1, 2, 3 East, and 3 West	None
4	Natural Gas Boilers No. 1, 2, and 3	None
5	Barley and Malt Unloading, Handling, and Loadout	Baghouses (10)

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2. FACILITY-WIDE CONDITIONS

The following table contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Condition	Parameter	Permit Limit/Standard Summary	Applicable Requirements Reference	Monitoring and Recordkeeping Requirements
2.1	Fugitive dust	Reasonable control	IDAPA 58.01.01.650-651	2.2, 2.3, 2.4
2.5	Odors	Do not emit in quantities that cause air pollution	IDAPA 58.01.01.775-776	2.6
2.7	Visible emissions	20% opacity	IDAPA 58.01.01.625	2.8
2.9	Excess emissions	Comply with provisions of IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.9, 2.11, 2.12

Fugitive Dust

- 2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.
[IDAPA 58.01.01.650-651, 5/1/94]
- 2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive dust emissions.
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 2.4 In addition to the specific requirements in Permit Condition 5.13, the permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each quarterly fugitive dust emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

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Odors

- 2.5 No person shall allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.
[IDAPA 58.01.01.775-776 (state-only), 5/1/94]

- 2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.
[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

Visible Emissions

- 2.7 No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.
[IDAPA 58.01.01.625, 4/5/00]

- 2.8 The permittee shall conduct a monthly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either take appropriate corrective action as expeditiously as practicable, or perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each monthly visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.
[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00, PTC No. P-040520, 3/11/05]

Excess Emissions

Excess Emissions - General

- 2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.
- 2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions

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causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

[IDAPA 58.01.01.133, 4/5/00]

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.

[IDAPA 58.01.01.133.01.a, 3/20/97]

- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

Excess Emissions – Upset, Breakdown, or Safety Measures

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification

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shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

- 2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

- 2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01 and 02, 3/20/97]

- 2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

- 2.9.5.1 An excess emissions record book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

- 2.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97]

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Performance Testing

- 2.10 If performance testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any performance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

The permittee shall submit a compliance test report for the respective test to DEQ within 30 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

Air Quality Permit Compliance
Department of Environmental Quality
Idaho Falls Regional Office
900 Skyline, Suite B
Idaho Falls, ID 83402
Phone: (208) 528-2650

Fax: (208) 528-2695

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

Monitoring and Recordkeeping

- 2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

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Reports and Certifications

- 2.12 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Idaho Falls Regional Office
900 Skyline, Suite B
Idaho Falls, ID 83402
Phone: (208) 528-2650 Fax: (208) 528-2695

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

Open Burning

- 2.13 The permittee shall comply with the *Rules for Control of Open Burning*, IDAPA 58.01.01.600-616.
[IDAPA 58.01.01.600-616, 4/5/00]

Renovation/Demolition

- 2.14 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.
[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

- 2.15 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:
- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
 - The date on which a regulated substance is first present above a threshold quantity in a process.
- [40 CFR 68.10 (a)]**

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Recycling and Emissions Reductions

- 2.16 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82, Subpart F]

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3. MALT DRYING AND SULFURING IN NATURAL GAS-FIRED KILNS (KILN NO. 1, 2, 3 EAST, AND 3 WEST)

Summary Description

In the kiln, the green malt is dried. The kilns are heated using indirect-fired natural gas burners. Heated air is recovered after passing through the kilns using a heat recovery unit. The drying process is a batch process requiring approximately 24 hours for completion of the drying cycle.

Each batch of green malt undergoes a sulfuring treatment once during the drying cycle. The sulfuring treatment process bleaches and brightens the malt kernel. Sulfuring is accomplished by burning sulfur and allowing the SO₂ formed to contact the malt during the drying process.

Emissions from the steeping, germination and drying process include particulate from malt handling, all criteria pollutants from burning natural gas and SO₂ from sulfuring.

Kiln 3 East and West have six natural-gas burners. There are a total of six exhaust stacks associated with Kiln 3 East and West, one stack for each burner. There is a pre-heater exhaust stack and two burner exhaust stacks associated with the East and West sides of Kiln 3.

Table 3.1 contains only a summary of the requirements that apply to the kilns. Specific permit requirements are listed below Table 3.1.

Table 3.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
3.1	PM, PM ₁₀ , SO ₂ , NO _x , CO, and VOC from gas burning, PM, PM ₁₀ , SO ₂ from process	See Table 3.2	PTC No. P-040520	3.3, 3.5, 2.11
3.2	Kiln opacity	20%	PTC No. P-040520	2.8
3.3	Kiln throughput	2,040 mmscf ng, 404,700 T/yr malt, 95 T/yr sulfur	PTC No. P-040520	3.5, 2.11
3.4	Fugitive emissions	Reasonable control	PTC No. P-040520	2.2, 2.3, 2.4, 3.4

Permit Limits / Standard Summary

3.1 Emissions Limits

3.1.1 Particulate matter (PM) emissions from the gas-fired kiln burners shall not exceed 0.015 grains per dry standard cubic foot (gr/dscf) of effluent gas adjusted to 3% oxygen by volume; in accordance with IDAPA 58.01.01.675.

[PTC No. P-040520, 3/11/05]

3.1.2 The PM, particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀), sulfur dioxide (SO₂), oxides of nitrogen (NO_x), carbon monoxide (CO), and volatile organic compound (VOC) emissions resulting from natural gas burning shall not exceed any corresponding emission rate limits listed in Table 3.2 of this permit.

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- 3.1.3 PM, PM₁₀, and SO₂ emissions resulting from process operations in the each of the kilns and exhausting from the kiln stacks shall not exceed any corresponding emission rate limits listed in Table 3.2.

Table 3.2 KILN EMISSIONS LIMITS¹

Source Description	PM		PM ₁₀		SO ₂		NO _x		VOC		CO	
	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/y	lb/hr	T/yr
Kilns 1, 2, 3 East, and 3 West NG ²	2.28	7.76	2.28	7.76	0.18	0.60	29.92	102.0	1.65	5.60	25.13	85.7
Kilns 1, 2, 3 East, and 3 West Process ³	17.1	74.9	15.3	67.0	192.0	95.0	---	---	---	---	---	---

¹ The permittee shall not exceed the T/yr listed based on any consecutive 12-month period.

² Limits are for all kiln burner natural gas combustion emissions combined.

³ Limits are for all kiln process emissions combined.

[PTC No. P-040520, 3/11/05]

3.2 Opacity Limit

Emissions from each of the kiln stacks (Kilns No. 1, 2, 3 East, and 3 West), or any other stack, vent, or functionally equivalent opening associated with the kilns, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60-minute period. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

[PTC No. P-040520, 3/11/05]

Operating Requirements

3.3 Throughput Limits

- 3.3.1 The maximum annual natural gas throughput for Kilns No. 1, 2, 3 East, and 3 West shall not exceed 2,040 million standard cubic feet in any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

- 3.3.2 The maximum annual amount of malt dried in the kilns shall not exceed 404,700 tons per year (T/yr) in any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

- 3.3.3 The maximum annual sulfur consumption rate from all kilns (Kilns No. 1, 2, 3 East, and 3 West) shall not exceed 95 T/yr in any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

3.4 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent PM from becoming airborne. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM. Some of the reasonable precautions include, but are not limited to, the following:

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- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, oil, water or suitable chemicals to, or covering of dirt roads, material stockpiles, and other surfaces which can create dust.
- Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations; covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts; paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

[PTC No. P-040520, 3/11/05]

Monitoring and Recordkeeping Requirements

3.5 Throughput Monitoring

The permittee shall monitor and record the amount of natural gas burned in Kilns No. 1, 2, 3 East, and 3 West combined on a monthly basis. Each month, the permittee will compile the monthly records into a rolling sum for the most recent 12-month period. A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

The permittee shall monitor and record the amount of malt dried in Kilns No. 1, 2, 3 East, and 3 West combined on a monthly basis. Each month, the permittee will compile the monthly records into a rolling sum for the most recent 12-month period. A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

The permittee shall monitor and record the amount of sulfur burned in Kilns No. 1, 2, 3 East, and 3 West combined on a monthly basis. Each month, the permittee will compile the monthly records into a rolling sum for the most recent 12-month period. A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

Reporting Requirements

3.6 Certification of Documents

All documents submitted to DEQ, including but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

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4. THREE NATURAL GAS BOILERS (BOILER NO. 1, 2, AND 3)

Summary Description

Utility operations include the operation of three natural gas-fired boilers. The boilers provide steam for the malting-process equipment and heat for the buildings at the facility. All three boilers exhaust through a common stack.

There are no air pollution control devices on the exhaust stack for the boilers.

The general exhaust characteristics for boilers are:

Height: 102 feet

Diameter: 3.5 feet

Table 4.1 contains only a summary of the requirements that apply to the boilers. Specific permit requirements are listed below Table 4.1.

Table 4.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
4.1.1	PM	0.015 gr/dscf	PTC No. P-040520, issued 3/11/05	4.4
4.1.2	PM, PM ₁₀ , SO ₂ , NO _x , VOC, CO	See Table 3.1	PTC No. P-040520, issued 3/11/05	4.4
4.2	Opacity	20%	PTC No. P-040520, issued 3/11/05	2.8, 4.4
4.3	Throughput of natural gas	283 MMcf/yr	PTC No. P-040520, issued 3/11/05	4.4

Permit Limits / Standard Summary

4.1 Emissions Limits

- 4.1.1 The PM emissions from the gas-fired boilers exhaust which vent to the boiler stack, shall not exceed 0.015 gr/dscf of effluent gas adjusted to 3% oxygen by volume in accordance with IDAPA 58.01.01.675.

[PTC No. P-040520, 3/11/05]

- 4.1.2 The PM, PM₁₀, SO₂, NO_x, CO, and VOC emissions resulting from natural gas burning and exhausting from the boilers shall not exceed any corresponding emission rate limits listed in Table 4.2.

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Table 4.2 BOILERS 1, 2, AND 3 EMISSIONS LIMITS

Source Description	PM		PM ₁₀		SO ₂		NO _x		VOC		CO	
	lb/hr	T/yr ¹	lb/hr	T/yr ¹	lb/hr	T/yr ¹	lb/hr	T/yr ¹	lb/hr	T/yr ¹	lb/hr	T/yr ¹
S10 (Boilers 1-3)	0.68	1.08	0.68	1.08	0.05	0.08	9.00	14.15	0.50	0.78	7.56	11.89

¹ The permittee shall not exceed the T/yr listed based on any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

4.2 Opacity Limit

Emissions from Boiler No. 1, 2, and 3, or any other stack, vent, or functionally equivalent opening associated with the boilers, shall not exceed 20% opacity for a period or periods aggregating more than three minutes in any 60 minute periods. Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

[PTC No. P-040520, 3/11/05]

Operating Requirements

4.3 Throughput Limits

The maximum annual combined throughput for Boilers No. 1, 2, and 3 shall not exceed 283 million cubic feet in any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

Monitoring and Recordkeeping Requirements

4.4 Throughput Monitoring

The permittee shall monitor and record the amount of natural gas combusted in Boilers No. 1, 2, and 3 as specified in 40 CFR 60.48.c(g) or an approved alternative method to demonstrate compliance with Permit Conditions 4.1 and 4.3. The permittee shall monitor and record the amount of natural gas combusted in Boilers No. 1, 2, and 3 each month and for the most recent 12-month period. Records of this information shall remain on site for the most recent five-year period and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

Reporting Requirements

4.5 Certification of Documents

All documents submitted to DEQ, including but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

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5. BARLEY AND MALT UNLOADING, HANDLING, AND LOADOUT

Summary Description

5.1 Process Description

5.1.1 Stack S01 - System 100 - Barley Unloading and Byproduct Loadout

Barley is delivered to the plant by truck or railcar. For truck deliveries, the truck is driven into the shipping and receiving building, and the grain is dumped into the truck-receiving hopper. During and after dumping the grain, a drag conveyor removes the grain from the truck-receiving hopper to an elevator from which it is transferred to the storage silos. For rail receiving, the car is moved into position over the rail-receiving hopper and the grain is discharged into the hopper. Drag conveyors transport the grain to an elevator system which ties into the silo-loading system.

Byproducts are transported from storage silos to the load-out conveyors. Most of the byproducts are loaded onto trucks using a large hood to control emissions. A small amount of byproducts are loaded into closed hopper railcars.

5.1.2 Stack S02 - System 200 - Malt and Byproduct Loadout

System 200 includes the malt and barley conveyors, elevators and spouts. Clean malt and byproducts are transported by conveyor from the storage silos to the railcar and truck loading conveyors. The majority of the malt is loaded into closed-hopper railcars, and the remaining malt is loaded into trucks. This system also serves several elevators, elevator boots, and drag conveyors.

5.1.3 Stack S03 - System 300 - In-house Handling of Barley and Malt

System 300 controls emissions from the malt and barley conveyance within the facility by a series of enclosed conveyors, elevators, and spouts. This includes the storage silo loading system, the silos, the kiln malt storage bins, and the shipping malt storage bin.

5.1.4 Stack S04 - System 400 - Barley Cleaning, Grading, and Associated Handling

System 400 controls emissions from the barley-cleaning system and associated handling. The barley-cleaning system receives barley from storage silos via an enclosed elevator. The cleaning and grading system is headed by a garner grain bin, which is filled from the elevator leg. From the garner bin the grain drops to a grain cleaner. The cleaner screens off shorts that are discharged to a portable open container. The cleaner also aspirates dust and separates chaff and other materials. From the grain cleaner, the grain is directed to cylinder separators for length grading. The barley is elevated to steeping or to storage. The byproducts are routed to the feed bins and are removed from the facility via the malt load-out system.

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5.1.5 Stack S05 - System 500 - Graded Barley Transfer to Malt House

System 500 controls emissions from the graded barley transfer to germination where steeping and germination processes occur. Barley transfer to steeping is accomplished by one of two elevators. From the garner, barley is discharged through aspirators to one of two conveyors, which feed grain to the steep tanks. A manually-operated diverter determines which tank will receive the barley.

5.1.6 Stack S06 - System 600 - Dry Malt Cleaning, Storage, and Associated Handling

System 600 controls emissions from malt cleaning, storage, and malt handling. In these processes kiln malt is delivered by enclosed conveyors from the kiln to the kiln malt hopper. From this hopper, the malt is routed to two malt cleaners to remove the sprouts. The cleaned malt is routed to an elevator, which delivers it to the storage silos.

5.1.7 Stack S07 - System 700 - Pneumatic Transfer of Dust from Baghouse (Systems 100-600)

System 700 controls emissions from the pneumatic transfer system used to transport the dust collected by the dust collection systems (System 100 through 600) and the facility sprout-cleaning system.

5.1.8 Stack DS8 – System 800 – Germination Towers Barley Handling and Kiln 3 (east and west) Malt Handling

System 800 controls emissions from the handling of graded barley at the germination towers and Kiln 3 (east and west) and the handling of malt from Kiln 3 (east and west) back to the headhouse for storage/cleaning. Emissions due to the transfer of graded barley from the daybin elevator to the barley daybin located at the germination towers are controlled by this dust system. In addition, emissions due to the transfer of barley from the barley daybin to the barley washer via screw conveyor are controlled by System 800.

System 800 also controls emissions from the transfer of malt from Kiln 3 (east and west) to the malt leg transfer conveyor via the kiln unloading drag conveyor. Emissions from the transfer of malt from the Kiln 3 (east and west) malt leg transfer conveyor to the kiln malt daybin and the transfer out of the daybin to the headhouse return conveyor are also controlled by System 800.

5.1.9 Stacks S11 and S12 - Vacuum-Cleaning Systems (Headhouse and Kiln)

The facility has three vacuum systems at the plant used for cleaning of the grain-handling areas. The first is for cleaning the head house and the second is located in the Kiln (1 and 2) building. The third vacuum system was installed in the Kiln 3 (east and west) building for use there. The expansion of this system includes areas around the daybins and the bridge. The vacuum systems are controlled using baghouses similar to the other dust control systems used at the facility.

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5.2 Control Description

5.2.1 System 100

The emissions from the barley unloading station are controlled by the System 100 baghouse with an estimated capture efficiency of 85% and a PM₁₀ removal efficiency of 99%. The associated transfer operations are totally enclosed, and the emissions from transfer are vented into the System 100 baghouse.

5.2.2 System 200

The emissions from the malt loading systems are controlled by the System 200 baghouse with an estimated capture efficiency of 85% and a PM₁₀ removal efficiency of 99%. The associated transfer operations are totally enclosed, and the emissions from malt and barley transfer and malt load-out are vented into the System 200 baghouse.

5.2.3 System 300

The emissions from the malt and barley transfer systems are controlled by the System 300 baghouse with a capture efficiency of 100% and a PM removal efficiency of 97%.

5.2.4 System 400

The emissions from the barley cleaning, grading and associated handling systems are controlled by the System 400 baghouse with a capture efficiency of 100% and a PM removal efficiency of 97%.

5.2.5 System 500

The emissions resulting from the graded barley transfer systems are controlled by the System 500 baghouse with a capture efficiency of 100% and a PM removal efficiency of 97%.

5.2.6 System 600

The emissions resulting from the dry malt cleaning, storage and transfer systems are controlled by the System 600 baghouse with a capture efficiency of 100% and a PM removal efficiency of 97%.

5.2.7 System 700

The emissions resulting from the pneumatic transfer of dust from other baghouse systems are controlled by the System 700 baghouse with a capture efficiency of 100% and a PM removal efficiency of 97%.

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5.2.8 System 800

The emissions resulting from the transfer and handling of the following operations are controlled by the System 800 baghouse with a PM₁₀ control efficiency of 99.5%:

- Barley elevator to daybin
- Barley daybin to washer
- Malt kiln to leg transfer
- Malt kiln leg
- Malt daybin
- Malt daybin unloading

5.2.9 Vacuum-Cleaning Systems

The emissions resulting from the vacuum-cleaning systems for the headhouse and the kiln are controlled by the MAC separator which houses both a cyclone and a baghouse in series. The systems have a capture efficiency of 100% and a PM removal efficiency of > 99%.

Table 5.1 BARLEY AND MALT UNLOADING, HANDLING, AND LOADOUT DESCRIPTION

Emissions Unit(s) / Process(es)	Emissions Control Device	Emissions Point
Barley unloading station	System 100 baghouse	Stack S01
Malt loading systems	System 200 baghouse	Stack S02
Malt and barley transfer systems	System 300 baghouse	Stack S03
Barley cleaning, grading and associated handling systems	System 400 baghouse	Stack S04
Graded barley transfer systems	System 500 baghouse	Stack S05
Dry malt cleaning, storage and transfer systems	System 600 baghouse	Stack S06
Pneumatic transfer of dust from other baghouse systems	System 700 baghouse	Stack S07
Barley and malt handling	System 800 baghouse	DS8
Headhouse and kiln vacuum-cleaning systems	MAC separator, including cyclone and baghouse in series	Stack S11 and Stack S12

Table 5.2 contains only a summary of the requirements that apply to the barley and malt unloading, handling, and loadout. Specific permit requirements are listed below Table 5.2.

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Table 5.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
5.3	PM and PM ₁₀	See Table 5.3	PTC No. P-040520, issued 3/11/05	5.9, 5.10, 5.11, 5.12
5.4	Opacity, grain handling operations, truck loading and unloading of grain, railcar loading and unloading of grain	0%	PTC No. P-040520, issued 3/11/05	5.7, 5.9, 2.8
5.5	Visible emissions, individual truck and railcar unloading station	5%	PTC No. P-040520, issued 3/11/05	5.7, 5.9, 2.8
5.5	Visible emissions, individual truck loading station	10%	PTC No. P-040520, issued 3/11/05	5.7, 5.9, 2.8
5.5	Visible emissions, grain handling system	0%	PTC No. P-040520, issued 3/11/05	5.7, 5.9, 2.8
5.6	Barley unloaded	16 million bushels/yr	PTC No. P-040520, issued 3/11/05	5.10
5.8	Fugitive dust	Reasonable control	PTC No. P-040520, issued 3/11/05	2.2, 2.3, 2.4, 5.13

Permit Limits / Standard Summary

5.3 Emissions Limits

In accordance with 40 CFR 60 Subpart DD, the PM emissions from the truck unloading station, truck loading station, railcar loading station, railcar unloading station and all grain handling operations as defined by 40 CFR 60.301 shall not exceed 0.01 gr/dscf. PM and PM₁₀ shall not exceed any applicable emission rate limit listed in the values listed in Table 5.3.

Table 5.3 BARLEY AND MALT HANDLING EMISSIONS LIMITS

Source Description	PM		PM ₁₀	
	lb/hr	T/yr ¹	lb/hr	T/yr ¹
S03	0.75	0.77	0.42	0.43
S04	2.49	10.89	2.21	2.95
S05	0.16	0.40	0.09	0.22
S06	3.48	15.26	3.48	2.73
S07	0.05	0.20	0.01	0.02

¹ The permittee shall not exceed the T/yr listed based on any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

5.4 Opacity Limit

Point sources of visible emissions from grain handling operations, truck loading and unloading of grain, railcar loading and unloading of grain shall not exceed 0% opacity in accordance with 40 CFR 60 Subpart DD. Opacity shall be determined by the procedures contained in 40 CFR 60 Subpart DD.

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5.5 Visible Emission Limits

Visible fugitive emissions shall not exceed the following limits:

- 5.5.1 5% opacity for an individual truck and railcar unloading station in accordance with 40 CFR 60 Subpart DD.
 - 5.5.2 10% opacity from an individual truck loading station in accordance with 40 CFR 60 Subpart DD.
 - 5.5.3 0% opacity for the grain handling system in accordance with 40 CFR 60 Subpart DD.
- [PTC No. P-040520, 3/11/05]**

Operating Requirements

5.6 Throughput Limits

The maximum annual barley unloaded at the facility shall not exceed 16 million bushels per any consecutive 12-month period.

[PTC No. P-040520, 3/11/05]

5.7 Baghouse Operation

Maintenance of the baghouses shall be performed if visible emissions exceeds 0% opacity. The pressure drop across the baghouses shall be maintained within manufacturer and operation and maintenance (O&M) manual specifications. Documentation of the operating pressure drop specifications for the baghouse shall remain onsite at all times and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

5.8 Reasonable Control of Fugitive Emissions

All reasonable precautions shall be taken to prevent PM from becoming airborne. In determining what is reasonable, considerations will be given to factors such as the proximity of dust-emitting operations to human habitations and/or activities and atmospheric conditions that might affect the movement of PM. Some of the reasonable precautions include, but are not limited to, the following:

- Use, where practical, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of lands.
- Application, where practical, of asphalt, oil, water or suitable chemicals to, or covering of dirt roads, material stockpiles, and other surfaces which can create dust.
- Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.
- Covering, where practical, of open-bodied trucks transporting materials likely to give rise to airborne dusts.

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- Paving of roadways and their maintenance in a clean condition, where practical.
- Prompt removal of earth or other stored material from streets, where practical.

[PTC No. P-040520, 3/11/05]

Monitoring and Recordkeeping Requirements

5.9 Performance Tests

- 5.9.1 For new or modified facilities, within 60 days after achieving the maximum production rate at which the source will operate, but not later than 180 days after initial startup, the permittee shall conduct performance tests to measure opacity of fugitive emissions for the new or modified sources subject to 40 CFR 60, Subpart DD.
- 5.9.2 For any new or modified affected facility subject to 40 CFR 60 Subpart DD, the permittee shall record the following information:
- Date of initial startup
 - Date of achieving maximum production rate
 - Date test conducted

Records of this information shall be kept onsite and made available to DEQ representatives upon request.

- 5.9.3 The initial performance tests, and any subsequent performance tests conducted to demonstrate compliance, shall be performed in accordance with IDAPA 58.01.01.157, General Provision 6 of this permit, and the following requirements:
- The static pressure drop across the baghouse shall be monitored and recorded during each performance test.
 - The throughput to the affected source(s) shall be recorded in pounds per hour (lb/hr) during each performance test.

[PTC No. P-040520, 3/11/05]

5.10 Throughput Monitoring

The permittee shall monitor and record the amount of barley unloaded and the amount of byproduct shipped on a monthly basis. Each month, the permittee will compile the daily records into a monthly sum and record the barley unloaded and the byproduct shipped for that month and for the most recent 12-month period. A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

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5.11 Monitor Operating Parameters

The pressure drop across the baghouses shall be monitored and recorded on a weekly basis. A compilation of the most recent five years of records shall be kept onsite and shall be made available to DEQ representatives upon request.

[PTC No. P-040520, 3/11/05]

5.12 Operations and Maintenance Manual Requirements

The permittee shall have an O&M manual for the baghouses, which describes the procedures that will be followed to comply with Permit Condition 5.12.1 and the manufacturer specifications for the air pollution control device. This manual shall remain onsite at all times and shall be made available to DEQ representative upon request.

[PTC No. P-040520, 3/11/05]

- 5.12.1 The permittee shall at all times (except as provided in the Rules for the Control of Air Pollution in Idaho) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

[PTC No. P-040520, 3/11/05]

5.13 Fugitive Dust Monitoring

The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive emission inspection. The records shall, at a minimum, include the date of each inspection and a description of the following:

- the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed);
- any corrective action taken in response to the fugitive emissions; and
- the date the corrective action was taken.

[PTC No. P-040520, 3/11/05]

Reporting Requirements

5.14 Certification of Documents

All documents submitted to DEQ, including but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

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5.16 Performance Test Protocol

The permittee is strongly encouraged to submit a test protocol for the performance tests required in Permit Conditions 5.9.1 and 5.9.2 to DEQ for approval at least 30 days prior to the test days.

[PTC No. P-040520, 3/11/05]

5.17 Performance Test Report

The permittee shall submit a report of the results of the performance tests required in Permit Conditions 5.9.1 and 5.9.2, including all required process data, to DEQ within 30 days after the date on which the stack sampling is concluded.

[PTC No. P-040520, 3/11/05]

5.18 Notification

The permittee shall furnish to DEQ and the EPA Region 10 office written notification for new or modified equipment subject to 40 CFR 60, Subpart DD as follows:

- A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
- A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.
- A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.

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6. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I operating permit to qualify for a permit shield.

Table 6.1 INSIGNIFICANT ACTIVITIES

Description	Insignificant Activities IDAPA 58.01.01.317.01(b)(I) Citation
Operation, loading and unloading of storage tanks and storage vessels, with lids or other appropriate closure and less than 260 gallon capacity, 35 cubic feet, heated only to the minimum extent to avoid solidification if necessary.	1
Operation, loading and unloading of storage tanks, not greater than 1,100 gallon capacity, with lids or other appropriate closure, not for use with hazardous air pollutants, max. vapor pressure 550 mmHg	2
Welding using not more than one ton per day of welding rod	9
Water cooling towers and ponds, not using chromium-based corrosion inhibitors, not used with barometric jets or condensers, not greater than 10,000 gpm, not in direct contact with gaseous or liquid process streams containing regulated air pollutants	13
Municipal and industrial water chlorination facilities of not greater than 20,000,000 gallons per day capacity. The exemption does not apply to waste water treatment.	16
Surface coating, using less than two gallons per day	17
Space heaters and hot water heaters using natural gas, propane or kerosene and generating less than 5 MMBtu/hr	18
Milling and grinding activities, using paste-form compounds with less than one percent volatile organic compounds	22
Surface coating, aqueous solution or suspension containing less than one percent volatile organic compounds	25
Storage and handling of water-based lubricants for metal working where the organic content of the lubricant is less than 10%	27
Two 2,000-gallon 12% bleach tanks, which are an emission unit or activity with potential emissions less than or equal to the significant emission rate as defined in Section 006 and actual emissions less than or equal to 10% of the levels contained in Section 006 of the definition of significant and no more than one ton per year of any hazardous air pollutant	30

- 6.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

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7. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]
5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

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8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §39-342A and applicable implementing regulations including IDAPA 58.01.01.128.
[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.
[IDAPA 58.01.01.200-223, 4/6/05; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]
11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.
[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/5/00; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a “State-only” provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source’s potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.
[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]
13. Provisions specifically identified as a “State-only” provision are enforceable only in accordance with state law. “State-only” provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.
[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

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Inspection and Entry

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:
- Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
 - Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
 - Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/6/05; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.

[IDAPA 58.01.01.322.15.n, 7/1/02; 40 CFR 70.6(a)(7)]

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

Renewal

18. a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

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- b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.
[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:
- Such applicable requirements are included and are specifically identified in the Tier I operating permit; or
 - DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.
 - The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).
 - Nothing in this permit shall alter or affect the following:
 - Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;
 - The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and
 - The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

**[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00;
 IDAPA 58.01.01.322.15.m, 325, 5/1/94; IDAPA 58.01.01.325, 3/19/99;
 IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]**

Compliance Schedule and Progress Reports

20.
 - For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.
 - For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

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- c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.
- d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.
[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

- 21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:
 - a. The compliance certifications for all emissions units shall be submitted annually from January 1 to December 31 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.
 - b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;
 - c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):
 - i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
 - ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
 - iii. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 21.c.ii above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred.
 - iv. Such other facts as DEQ may require to determine the compliance status of the source.
 - d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]

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False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.125, 3/23/98]

No Tampering

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.
[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from January 1 to June 30 and July 1 to December 31. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Reporting Deviations and Excess Emissions

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.
[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.
[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

Emergency

27. In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.
[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]